

REMARKS

Status of Claims:

In this application, claims 1-59 are currently pending. Claims 1, 5, 8, 9, 23, 31, 37-43, 50, 52, 54, 57, and 58 are amended by this Response. No claim has been deleted. Entry of these amendments is respectfully requested.

Phone Interview with the Examiner

The Applicant thanks the Examiner for taking the time to talk about the pending claims in a phone interview on September 15, 2009. In that interview, the Applicant requested clarification on claim interpretation in light of the continued rejection over the Anderson reference. The Examiner explained that the previously submitted claims did not adequately claim the client and server computers as separate computers. The Examiner suggested that the claim language read "located separately from" when distinguishing between two computers. The Applicant has accepted the Examiner's suggestion in the above claim amendments.

Double Patenting

The Examiner has rejected the pending claims under the judicially created doctrine of obviousness-type double patenting in light of U.S. Patent No. 6,697,846. An appropriate terminal disclaimer is being filed with this Response.

Claim Rejections Under 35 U.S.C. 102

Claims 1-59 were rejected in the final office action as anticipated by T. Anderson, "Serverless Network File Systems," Proceedings of the Fifteenth ACM Symposium on Operating System Principles, 1995 ("Anderson"). As explained in the Applicant's prior office action response dated December 10, 2008, Anderson does not disclose namespace requests that pass between a client computer and a server computer. The above claim amendments now specifically separate the client and server computer using the "located separately from" language as suggested by the Examiner. Consequently, the Anderson reference cannot be

considered to anticipate the pending claims, and this rejection should be withdrawn.

Statutory Subject Matter

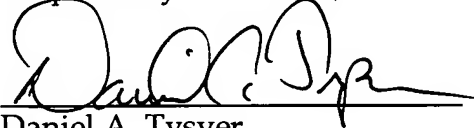
The claims have been amended to assure compliance with the requirements for statutory subject matter as articulated by the Federal Circuit in In re Bilski. The method claims 50-57 transform a physical object by the step of storing or saving metadata on a storage device, and are tied to a particular machine by the same step. The applicant submits that the "file system" claims (including the "file system residing on a plurality of computers" in claim 1, the "file system operating as part of a client computer" in claim 23, and the "file system operating on a client computer and a server computer" of claim 31) fall within one of the four statutory categories under Section 101 as being directed to a machine, as a file system is an essential component of a machine (i.e., the computer).

CONCLUSION

All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is solicited.

Date: 29 Sept. 2009

Respectfully Submitted,



Daniel A. Tysver
Registration No. 35,726
Beck & Tysver, P.L.L.C.
2900 Thomas Avenue South, #100
Minneapolis, MN 55416
Telephone: 612-915-9634
Fax: (612) 915-9637